

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SHERMAN CARTER)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 99-757-JJF
)	
Commissioner, STANLEY TAYLOR,)	
Warden, ROBERT SNYDER, Records)	
Supervisor, REBECCA McBRIDE,)	
)	
Defendants.)	

NOTICE OF APPEAL

Notice is hereby given that the Defendants, Stanley Taylor, Robert Snyder, and Rebecca McBride, hereby appeal to the United States Court of Appeals for the Third Circuit from the District Court's Order, dated November 10, 2005 (D.I. # 153), denying Qualified Immunity to Defendants with regard to Plaintiff's claims. Jurisdiction for this appeal is proper at this time because the denial of Qualified Immunity at this stage is considered a "final appealable decision" as contemplated by 28 U.S.C. § 1291. *See Wright v. City of Philadelphia*, 409 F.3d 595, 599 (3d Cir. 2005).

**STATE OF DELAWARE
DEPARTMENT OF JUSTICE**

/s/ Aaron R. Goldstein
Aaron R. Goldstein, #3735
Stuart B. Drowos, ID #427
Deputy Attorneys General
820 North French Street, 6th Floor
Wilmington, Delaware 19801
(302) 577-8400
aaron.goldstein@state.de.us
stuart.drowos@state.de.us
Attorneys for Defendants
Taylor, Snyder and McBride.

Dated: November 22, 2005

CERTIFICATE OF MAILING AND/OR DELIVERY

The undersigned certifies that on November 22, 2005, he caused the foregoing document to be delivered to the following persons in the form and manner indicated:

NAME AND ADDRESS OF RECIPIENT(S):

Sherman Carter
2900 Jefferson Street
Wilmington, DE 19802

MANNER OF DELIVERY:

- ☒ One true copy by electronic delivery.
- ☐ One true copy by facsimile transmission to each recipient
- ☒ Two true copies by first class mail, postage prepaid, to each recipient
- ☐ Two true copies by Federal Express
- ☐ Two true copies by hand delivery to each recipient

/S/ Aaron R. Goldstein

Aaron R. Goldstein, Bar I.D. No. #3735
Deputy Attorney General
Carvel State Office Building
820 N. French Street, 6th Floor
Wilmington, DE 19801
302-577-8400